

DATE:

TO: ESU #1 Board of Directors

FROM: Bill Heimann, Administrator

RE: Tuesday, June 13, 2023 Board Meeting

There will be a meeting of the ESU #1 Board of Directors, on Tuesday, June 13, 2023, at 5:30 PM in the

ESU #1 Conference Room
211 Tenth Street
Wakefield, NE 68784-5014

Consideration, discussion and any action necessary will be taken on the following items.

- A. Notification of Open Meetings Law
- B. Roll Call
- C. Consent Agenda*
 - C.1. Previous Minutes (copy attached)
 - C.2. Financial Reports*
 - C.2.a. Revenue Report/Treasurer's Report
 - C.2.b. Cash Summary/Expenditure Report
 - C.3. Bills for June
 - C.4. Administrator's Monthly Report
 - C.4.a. School Mental Health Program
 - C.4.b. ESU1 Construction Project
- D. Public Comment
- E. ESU1 Technology Program Presentation
- F. Payment of Grant Fund Expenditures and July bills*
- G. External Auditor Contract*
- H. Legislation
- I. ESU1 Annual Survey
- J. ESU Core Service Funds
- K. Board Member Resignation*
- L. Purchase Furniture*
- M. 2023-24 Budget Parameters/1% Approval*
- N. Contract Service for Technology Integration*
- O. Personnel*
 - O.1. Consider, discuss, and take necessary action on employee contracts and personnel changes.
 - O.1.a. Resignation(s)
 - O.1.b. New Hire(s)
 - O.1.c. Contract Change(s)
 - O.1.d. Termination(s)
- P. Adjournment

This agenda contains a list of subjects known at the time of its distribution on . A copy of the agenda reflecting any changes will be kept in the ESU #1 Administrative office and will be

readily available for public inspection during normal office hours. Except for items of emergency nature, the agenda will not be enlarged later than twenty-four hours before the scheduled commencement of the meeting. The Board reserves the right to change the order of business discussed.

*Action Items

Nebraska Open Meetings Act

§ 84-1407. Act, how cited

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

§ 84-1408. Declaration of intent; meetings open to public

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

§ 84-1409. Terms, defined

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1) (a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions.

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Videoconferencing means conducting a meeting involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input. Interaction between meeting participants shall be possible at all meeting locations.

§ 84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as: (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body; (b) Discussion regarding deployment of security personnel or devices; (c) Investigative proceedings regarding allegations of criminal misconduct; (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; or (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1) (a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

§ 84-1411. Meetings of public body; notice; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body

(1) Each public body shall give reasonable advance publicized notice of the time and place of each meeting by a method designated by each

public body and recorded in its minutes. Such notice shall be transmitted to all members of the public body and to the public. Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give all interested persons reasonable advance information about proposals, projects, and other issues which are known to be subject to consideration at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (a) twenty-four hours before the scheduled commencement of the meeting or (b) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2) A meeting of a state agency, state board, state commission, state council, or state committee, of an advisory committee of any such state entity, of an organization created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act, of the governing body of a public power district having a chartered territory of more than fifty counties in this state, of a board of an educational service unit, or of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act may be held by means of videoconferencing or, in the case of the Judicial Resources Commission in those cases specified in section 24-1204, by telephone conference, if:

(a) Reasonable advance publicized notice is given;

(b) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio or visual recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if videoconferencing or telephone conferencing was not used;

(c) At least one copy of all documents being considered is available to the public at each site of the videoconference or telephone conference;

(d) At least one member of the state entity, advisory committee, board, or governing body is present at each site of the videoconference or telephone conference; and

(e) No more than one-half of the state entity's, advisory committee's, board's, or governing body's meetings in a calendar year are held by videoconference or telephone conference.

Videoconferencing, telephone conferencing, or conferencing by other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(3) A meeting of a board of an educational service unit, of the governing body of an entity formed under the Interlocal Cooperation Act, the Joint Public Agency Act or the Municipal Cooperative Financing Act or of the governing body of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act may be held by telephone conference call if: (a) The territory represented by the educational service unit or member public agencies of the entity or pool covers more than one county; (b) Reasonable advance publicized notice is given which identifies each telephone conference location at which an educational service unit board member or a member of the entity's or pool's governing body will be present; (c) All telephone conference meeting sites identified in the notice are located within public buildings used by members of the educational service unit board or entity or pool or at a place which will accommodate the anticipated audience; (d) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including seating, recordation by audio recording devices, and a reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided if a telephone conference call was not used; (e) At least one copy of all documents being considered is available to the public at each site of the telephone conference call; (f) At least one member of the educational service unit board or governing body of the entity or pool is present at each site of the telephone conference call identified in the public notice; (g) The telephone conference call lasts no more than one hour; and (h) No more than one-half of the board's, entity's, or pool's meetings in a calendar year are held by telephone conference call, except that a governing board of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by telephone conference call, except that a governing body's quarterly meetings are not held by telephone conference call or videoconferencing.

Nothing in this subsection shall prevent the participation of consultants, members of the press, and other nonmembers of the governing body at sites not identified in the public notice. Telephone conference calls, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by means of electronic or telecommunication equipment. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness other than a member of the public body to appear before the public body by means of video or telecommunications equipment.

§ 84-1412. Meetings of public body; rights of public; public body; powers and duties

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify

themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body may require any member of the public desiring to address the body to identify himself or herself.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction; (b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience; (c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making a telephone conference call available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance; (d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state; (e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; (f) Reasonable arrangements are made to provide viewing at other in-state locations for a videoconference meeting if requested fourteen days in advance and if economically and reasonably available in the area; and (g) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) The public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at the meeting.

(8) Public bodies shall make available at the meeting or the in-state location for a telephone conference call or videoconference, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

§84-1413. Meetings; minutes; roll call vote; secret ballot; when

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a municipality, a county, a learning community, a joint entity created pursuant to the Interlocal Cooperation Act, a joint public agency created pursuant to the Joint Public Agency Act, or an agency formed under the Municipal Cooperative Financing Act which utilizes an electronic voting device which allows the yeas and nays of each member of such city council, village board, county board, or governing body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

§ 84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Revised July 2011



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Nebraska Council
of School Administrators

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ESU #1 Board Meeting
Tuesday, May 9, 2023

A meeting of the ESU #1 Board of Directors convened in open and public session on Tuesday, May 9, 2023, at 5:30 PM, at ESU #1. **Present:** Josiah Boneschans, Traci Haglund, Mr. Tucker Hight, AJ Johnson, Duane Krusemark, Susan Strahm, **Absent:** Tabitha Gilsdorf, Jim Gunsolley, Shannon Johnson, Sally Reinert.

Notice of the meeting was given in advance by publication and/or posting, as shown below, in accordance with the Board approved method for giving notice of meetings. Notice of this meeting was given in advance to all members of the Board of Directors. The Recording Secretary maintains a list of news media requesting notification of meetings and advance notification to the listed media of the time and place of the meeting and the subjects to be discussed at this meeting was provided. Availability of the agenda was communicated in the publicized notice and current copy of the Agenda was maintained as stated in the publicized notice. All proceedings of the Board of Directors, except as may be hereinafter noted, were taken while the convened meeting was open to the attendance of the public.

Published and/or Posted Locations:

- Wayne Herald (Thursday before meeting date)
- Central Office Front Door (Friday before meeting date)
- Sparq (Friday before meeting date)

A. Notification of Open Meetings Law

At the beginning of this meeting, President AJ Johnson announced and informed the public that a current copy of the Open Meetings Act is available at the meeting site and included electronically in the E-Meeting agenda.

B. Roll Call*

Motion by Traci Haglund, seconded by Susan Strahm, to excuse the absence of Tabitha Gilsdorf, Jim Gunsolley, Shannon Johnson and Sally Reinert. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Tabitha Gilsdorf: Absent, Jim Gunsolley: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Josiah Boneschans: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Susan Strahm: For
For: 6, Against: 0, Absent: 4

C. Consent Agenda*

Motion by Josiah Boneschans, seconded by Duane Krusemark, to approve all items on the consent agenda as provided: (April 11 Minutes, April Financial Reports, May bills of \$1,133,526.14, and the Administrator's Report.) After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Tabitha Gilsdorf: Absent, Jim Gunsolley: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Josiah Boneschans: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Susan Strahm: For
For: 6, Against: 0, Absent: 4

C.1. Previous Minutes (copy attached)

C.2. Financial Reports*

C.2.a. Revenue Report/Treasurer's Report

C.2.b. Cash Summary/Expenditure Report

C.3. Bills for May

C.4. Administrator's Monthly Report

C.4.a. Educational Psychology Training Grant

Administrator Heimann shared a summary of The Prairie Nebraska project for Psychologists.

C.4.b. Electronic Recycling

Administrator Heimann shared about the Electronic Recycling day at ESU #1.

C.4.c. Construction Project Update

Administrator Heimann shared a construction update.

C.4.d. Against the Current Career Academy Grand Opening

Administrator Heimann shared the invite for the grand opening of the Career Academy at Omaha Nation.

D. Public Comment

E. ESU1 Teaching and Learning Team

ESU's Teaching and Learning team gave a presentation about the services they offer.

F. Legislative Review

Administrator Heimann shared a legislative update.

G. Early Learning Connection Grant Expenditures

Motion by Susan Strahm, seconded by Traci Haglund, to authorize Administrator Heimann to expend remaining Early Learning Connection grant funds prior to May 31 in an amount not to exceed \$40,000. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Tabitha Gilsdorf: Absent, Jim Gunsolley: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Josiah Boneschans: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Susan Strahm: For
For: 6, Against: 0, Absent: 4

H. School Support Projects

Motion by Duane Krusemark, seconded by Mr. Tucker Hight, to approve the core service budget and school support projects for 2023-24. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Tabitha Gilsdorf: Absent, Jim Gunsolley: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Josiah Boneschans: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Susan Strahm: For
For: 6, Against: 0, Absent: 4

I. ESU Coordinating Council Master Services Agreement

Motion by Mr. Tucker Hight, seconded by Traci Haglund, to approve the ESUCC Master Service Agreement for 2023-24 as presented. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Tabitha Gilsdorf: Absent, Jim Gunsolley: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Josiah Boneschans: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Susan Strahm: For
For: 6, Against: 0, Absent: 4

J. July Board Meeting

Motion by Mr. Tucker Hight, seconded by Traci Haglund, to not conduct a formal board meeting during July 2023. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Tabitha Gilsdorf: Absent, Jim Gunsolley: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Josiah Boneschans: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Susan Strahm: For
For: 6, Against: 0, Absent: 4

K. Tele-service Contract for School Psychology

Motion by Mr. Tucker Hight, seconded by Traci Haglund, to authorize Administrator Heimann to enter into a contract with third party vendors to provide virtual school psychology tele-service. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Tabitha Gilsdorf: Absent, Jim Gunsolley: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Josiah Boneschans: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Susan Strahm: For
For: 6, Against: 0, Absent: 4

L. Classified Staff Compensation

Motion by Duane Krusemark, seconded by Mr. Tucker Hight, to approve the 2023-24 compensation package for classified staff as presented. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Tabitha Gilsdorf: Absent, Jim Gunsolley: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Josiah Boneschans: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Susan Strahm: For

For: 6, Against: 0, Absent: 4

M. Personnel*

M.1. Consider, discuss, and take necessary action on employee contracts and personnel changes.

M.1.a. Resignation(s)

Angel Anderson, EDN Service Provider, as of May 2, 2023.

M.1.b. New Hire(s)

Motion by Duane Krusemark, seconded by Josiah Boneschans, to approve the contract of Jessica Ward & Leigh Haselhorst, ECSE Teacher; Megan Wegher, Audiologist for the 2023-24 contract year. After discussion and on roll call vote, the Board voted as follows:

Motion Carried:

Tabitha Gilsdorf: Absent, Jim Gunsolley: Absent, Shannon Johnson: Absent, Sally Reinert: Absent, Josiah Boneschans: For, Traci Haglund: For, Mr. Tucker Hight: For, AJ Johnson: For, Duane Krusemark: For, Susan Strahm: For

For: 6, Against: 0, Absent: 4

M.1.c. Contract Change(s)

M.1.d. Termination(s)

N. Adjournment

As there were no additional Agenda items, President AJ Johnson adjourned the meeting at 6:46 p.m.

Brittney Hampl, Recording Secretary

Susan Strahm, Board Secretary



SCHOOL-BASED MENTAL HEALTH PROGRAM

The Nebraska Department of Education has provided grant funding to support districts in developing school mental health systems. Participating districts will receive support to **develop** and **maintain** a *comprehensive school mental health program*

PARTICIPATE TO

**LEARN
&
EARN**

FUNDING

Districts will receive grant funds to support mental health systems development.

Choose two from:

1. Purchase of universal screener (up to \$5 per student)
2. Telehealth equipment (up to \$2000)
3. Purchase of evidence-based curricula or interventions (up to \$10,000)
4. Funds to offset cost of school-based mental health practitioner (up to \$30,000)
5. Tier 2 interventions (up to \$10,000 of staff time)
6. Development of Calm Corners (up to \$6000)

REQUIREMENTS

MENTAL HEALTH INSTITUTE

Participating districts commit to sending a team of 3-7 school personnel (must include at least 1 administrator, we recommend bringing an existing team, such as an MTSS team) to two-day training and planning event - May 26 and June 9, 2023

ASSESSMENT AND PLANNING

Participating districts will conduct, with support from ESU team, a needs assessment, SHAPE assessment, and action planning

ONGOING PARTICIPATION

School Teams will attend

- August 2023 refresher and SY 23-24 planning session (half day)
- Monthly technical assistance sessions throughout SY 23-24
- Institute Day 3 in Spring 2024 for wrap up and planning for sustainability and provide progress updates to ESU team

**CONTACT MIRANDA ZAHN
WITH QUESTIONS OR INTEREST
MZAHN@ESU1.ORG**

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 147

Introduced by Murman, 38.

PURPOSE: The purpose of this resolution is to propose an interim study relating to parental involvement in public schools. The study shall include, but need not be limited to, an examination of:

(1) The current statutory requirements relating to parental involvement in schools;

(2) Potential statutory changes to such requirements; and

(3) The discussions and issues raised at the public hearing for Legislative Bill 374 introduced during the First Session of the One Hundred Eighth Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 148

Introduced by Murman, 38.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the use of federal funds from the federal Elementary and Secondary School Emergency Relief Fund and the use of the Launch Nebraska website by the State Department of Education. The study shall include, but need not be limited to:

(1) The State Department of Education's use of federal funds from the federal Elementary and Secondary School Emergency Relief Fund;

(2) Content promoted and shared by the State Department of Education on the Launch Nebraska website; and

(3) The overall use of the Launch Nebraska website.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 149

Introduced by Murman, 38.

PURPOSE: The purpose of this resolution is to propose an interim study related to social-emotional learning. The study shall include, but need not be limited to:

- (1) The core concepts of social-emotional learning;
- (2) How school personnel in this state utilize social-emotional learning in the classroom; and
- (3) How social-emotional learning relates to teaching about topics such as race, racism, sexual education, and mental health.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 240

Introduced by Murman, 38.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the impact of consolidation of educational service units.

This study shall include, but need not be limited to, an examination of the following:

(1) What additional responsibilities could be given to educational service units if such units were consolidated;

(2) Whether administrative costs for educational service units would be lower if such units were consolidated;

(3) How consolidation would affect the tax base and levy authority of educational service units;

(4) How to promote transparency within educational service units and about the responsibilities of educational service units;

(5) How to promote joint academic opportunities for community colleges and school districts with educational service units; and

(6) How to promote opportunities for educational service units to assist with mental health in schools.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 144

Introduced by Erdman, 47; Halloran, 33.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the subject of school choice where all education funding is distributed on a per student basis and follows the student to the school of their choice.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 129

Introduced by DeKay, 40.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the shortage of sports officials in Nebraska including, but not limited to, the shortage of officials registered by the Nebraska Schools Activities Association for the sports of baseball, basketball, football, softball, soccer, swimming and diving, track and field, volleyball, and wrestling.

In order to carry out the purposes of this resolution, the committee shall consider the input of the Nebraska Schools Activities Association.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 166

Introduced by Walz, 15.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the impact of government-imposed mandates on school districts across the State of Nebraska.

Article VII, section 1, of the Constitution of Nebraska states that the "Legislature shall provide for the free instruction in the common schools of this state of all persons between the ages of five and twenty-one years." Understanding the accumulation of mandates over time from local, state, and federal governments imposed on local school districts and the changes, or lack thereof, in revenue is important to the State of Nebraska as both have a significant impact on the ability to maintain the strong education system of Nebraska.

This interim study shall include, but need not be limited to, an examination of the following:

- (1) History and impact of state and federal mandates on school districts;
- (2) History and impact of changes in revenue sources for school districts;
- (3) History and impact of the gap that may or may not exist between the historical change in cost of mandates and sources of revenue for school districts; and
- (4) Potential recommendations for legislation to address any such gap and the implications of such legislation.

In order to carry out the purpose of this resolution, the committee shall seek the input of the State Department of Education, school boards, school administrators, teachers, and educational service units of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 152

Introduced by Hughes, 24.

PURPOSE: The purpose of this resolution is to propose an interim study to examine all factors that may impact a school district's ability to attract and retain qualified superintendents and administrators and the impact such factors have upon the salary and benefits provided.

(1) The study shall include, but need not be limited to:

(a) The ability of school districts to readily obtain data relevant to the development of competitive compensation for superintendent and other administrator positions;

(b) A comparability analysis of the current compensation for superintendents for school districts categorized by the size of the district, the geographic location of the district, and the population of the community in which the district is located;

(c) An analysis of how superintendent compensation is influenced by qualifications and work experience;

(d) The correlation between the salaries and benefits offered to superintendents and the ability of a school district to recruit and retain individuals for such positions;

(e) How overall compensation for superintendents is influenced by other roles and duties performed by superintendents such as athletic director or principal;

(f) An analysis of school administrator compensation in Nebraska compared to school administrator compensation around the country;

(g) An analysis of school administrator compensation in Nebraska compared to compensation for other tax-funded professions in Nebraska and around the country; and

(h) Recommendations for any possible statutory changes to the Superintendent Pay Transparency Act.

(2) In order to carry out the purpose of this resolution, the committee shall seek the assistance of stakeholders in public education, including, but not limited to, school board members, administrators, and advocacy groups.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 192

Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the relationship between joint public agencies and public education matters.

This study should include, but need not be limited to:

(1) An examination of the history of existing joint public agencies that wield power over any public education matters, the purpose of the formation of such joint public agencies, and how such joint public agencies are governed;

(2) An examination of the powers that joint public agencies wield and any limitations of such powers;

(3) A determination of the overall reach and scope of joint public agencies involved in public education; and

(4) A review of how joint public agencies are held accountable to school districts, educational service units, residents, or other agencies that the joint public agencies work with.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 220

Introduced by Brewer, 43; Murman, 38; Raybould, 28; Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine laws governing school security policy.

The study should include, but need not be limited to, an examination of the following:

- (1) Laws governing school security;
- (2) Laws governing the possession of both lethal and less-lethal weapons on school campuses and at school-sponsored events;
- (3) Nebraska's laws on school security as compared to policies and laws enacted in other states to facilitate school security operations;
- (4) Whether persons other than certified law enforcement officers might be utilized to provide armed school security with appropriate training; and
- (5) Any other potential policy changes regarding school security that the Legislature may consider.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 170

Introduced by Dungan, 26; Cavanaugh, J., 9; Cavanaugh, M., 6; Conrad, 46;
DeBoer, 10; Fredrickson, 20.

PURPOSE: The purpose of this resolution is to propose an interim study to assess and examine whether student journalists and scholastic journalism is supported and promoted in public high schools and postsecondary institutions in Nebraska and free from censorship and inappropriate government interference or intervention.

The First Amendment to the Constitution of the United States is a bedrock for American values. The right of free speech and expression is fundamental to the State of Nebraska and the United States. The United States Supreme Court has held that youth and students are entitled to the right of free speech and expression and the rights of students at high schools and postsecondary institutions has often been the epicenter of modern conversations on the First Amendment.

This right includes the corollary right of the freedom of the press and by extension student reporters and student news media entities. The freedom of the press is critical to a democracy in which the government is accountable to the people. A free media functions as a watchdog that can investigate and report on government wrongdoing. When press freedom is harmed, holding the government accountable when it missteps or overreaches becomes more difficult. It is important that this principle is instilled in the next generation.

There is concern regarding the degree of commitment to the First Amendment rights of students and scholastic journalism in Nebraska public schools. For instance, in August 2022, Northwest Public Schools in Grand Island, Nebraska, shut down its fifty-four-year-old student newspaper and eliminated the journalism program in apparent response to an issue covering LGBTQ topics being published.

The interim study should examine whether the creation of affirmative statutory protections for student journalists and student media advisors in public high schools and postsecondary educational institutions are justified in order to ensure that First Amendment rights are protected.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 251

Introduced by Dover, 19; Aguilar, 35; Armendariz, 18; Ballard, 21; Bosn, 25; Bostar, 29; Cavanaugh, J., 9; DeBoer, 10; DeKay, 40; Fredrickson, 20; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Linehan, 39; Lippincott, 34; Moser, 22; Sanders, 45; Vargas, 7; von Gillern, 4.

PURPOSE: The purpose of this resolution is to propose an interim study to explore the development of registered apprenticeship program sponsors within Nebraska's education system for early childhood care and education. Nationally, the apprenticeship model has been shown to be an effective tool for training students in early childhood care and education. Apprenticeships offer a unique mode of instruction and an avenue for earning pay while training on the job.

In Nebraska, seventy-four percent of children under six years of age live in households with all available parents in the workforce, which is the sixth highest amount among all states. Nebraska's current workforce capacity for early childhood care and education is insufficient to meet the needs of working families. The apprenticeship model is an effective way to serve both the interests of prospective students in early childhood care and education and the needs of Nebraska families.

This interim study shall include, but need not be limited to, an examination of the following:

- (1) The growing need for early childhood care and education in Nebraska;
- (2) The registered apprenticeship programs for early childhood care and education at the United States Department of Labor;
- (3) The available federal resources for the establishment of such programs;
- (4) The education infrastructure in the state to support such programs and existing state resources for such programs; and
- (5) Any public-private partnership opportunities for expanding the instruction and training infrastructure of early childhood care workers and

educators, including an examination of similar initiatives in other states.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 145

Introduced by Conrad, 46; Blood, 3; DeBoer, 10; Hughes, 24; Ibach, 44;
Raybould, 28; Walz, 15.

PURPOSE: The purpose of this resolution is to propose an interim study to explore the role of both the State of Nebraska and individual school districts in finding solutions to address the impact of the inability to afford menstrual products, often called "period poverty", among students.

Period poverty can adversely affect an individual's health and wellbeing. Period poverty exacerbates the cycle of poverty by further marginalizing girls and women, causing them to miss educational opportunities.

Several states have sought to address these negative impacts by enacting legislation requiring local school districts to provide free menstrual products in schools. Nebraska has in recent years addressed these issues with updates to state policy relating to sales tax on menstrual products and access to menstrual products in jails, juvenile facilities, and state prisons.

This interim study should examine how other states have successfully enacted legislation to address the inequity created by period poverty and to assess the cost of providing feminine hygiene products to students across the State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 228

Introduced by Brandt, 32; Dorn, 30; Hughes, 24; Jacobson, 42.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the issues related to Legislative Bill 320 introduced in the One Hundred Eighth Legislature of Nebraska, First Session. The study should include, but need not be limited to:

(1) An evaluation of equalization aid to school districts and the decreased amounts of equalization aid provided to school districts over the past fifteen years and potential methods to restore and raise equalization aid to school districts;

(2) An evaluation of the real property values used to calculate the local effort rate yield within the Tax Equity and Educational Opportunities Support Act formula and the impact on school districts;

(3) An evaluation of the impact of the real property values used within the Tax Equity and Educational Opportunities Support Act formula on the property tax levy within school districts;

(4) An evaluation of the disparity in property tax equity among school districts; and

(5) A recommendation for changes to the Tax Equity and Educational Opportunities Support Act formula to create improved property tax equity across the state as was the original intent of the Tax Equity and Educational Opportunities Support Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council

or Legislature.

ONE HUNDRED EIGHTH LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 246

Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to propose an interim study to research the Metropolitan Omaha Educational Consortium.

The study shall include, but need not be limited to:

(1) An examination of what the Metropolitan Omaha Educational Consortium has accomplished over the last twenty years, including, but not limited to:

- (a) How the consortium has improved education in metropolitan schools;
- (b) What issues the consortium has identified as common to its members;

and

(c) What projects the consortium has undertaken and finished, the results of such projects, and how the results of such projects are used; and

(2) An examination of how the Metropolitan Omaha Educational Consortium is governed and how it is held accountable to its members.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Educational Service Unit 1

211 10th St.

Wakefield, NE 68784

ESU 1 Board and Mr. Heimann,

It is with regrets, that I need to resign my position on the board effective July 31, 2023, due to relocating to the Omaha metro area. I have enjoyed my brief time on the board and working with all of you. ESU 1 is a highly productive agency that serves northeast Nebraska well. Thank you for your support and I wish you the best.

Keep up the excellent work for the Nebraska schools you serve.

Sincerely,

Duane Krusemark